

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESAL PRICE LITIGATION

THIS DOCUMENT RELATES TO:  
ALL ACTIONS

MDL No. 1456

Civil Action No. 01-CV-12257-PBS

Hon. Patti B. Saris  
Magistrate Judge Marianne B. Bowler

**CLASS PLAINTIFFS' AND DEFENDANT GSK'S OFFER TO OBJECTOR  
DEMRA JORDAN NOT TO OPPOSE  
UNTIMELY OPT-OUT OF SETTLEMENT OR LATE CLAIM**

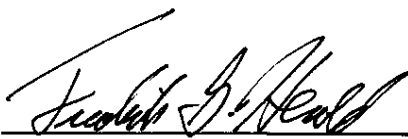
Plaintiffs and Defendant SmithKline Beecham Corporation, d/b/a GlaxoSmithKline ("GSK"), by and through their undersigned counsel, state the following with regard to Objector Demra Jordan ("Objector").

In her Response to Plaintiffs' Motion for Imposition of Appeal Bond Under Federal Rule of Appellate Procedure 7 [Doc. No. 4715], Objector stated that "[b]y the time Jordan filed her objection, the deadlines to opt out (May 27, 2007) or to file a claim (May 28, 2007) had passed." *Id.* at 13.

The parties have no objection to extending the time for this Objector to opt out of the settlement or to make a claim against the settlement, and neither Plaintiffs nor GSK will oppose Objector's request for either approach.

By: /s/ Steve W. Berman  
Thomas M. Sobol (BBO#471770)  
Edward Notargiacomo (BBO#567636)  
Hagens Berman Sobol Shapiro LLP  
One Main Street, 4th Floor  
Cambridge, MA 02142  
Telephone: (617) 482-3700  
Facsimile: (617) 482-3003

***Liaison Counsel***

  
Frederick G. Herold  
Dechert LLP  
2440 W. El Camino Real  
Suite 700  
Mountain View, CA 94040-149  
Telephone: (650) 813-4930  
Facsimile: (650) 813-4848

***Attorneys for Defendant GSK***

Steve W. Berman  
Sean R. Matt  
Hagens Berman Sobol Shapiro LLP  
1301 Fifth Avenue, Suite 2900  
Seattle, WA 98101  
Telephone: (206) 623-7292  
Facsimile: (206) 623-0594

Jeffrey Kodroff  
John A. Macoretta  
Spector, Roseman & Kodroff, P.C.  
1818 Market Street, Suite 2500  
Philadelphia, PA 19103  
Telephone: (215) 496-0300  
Facsimile: (215) 496-6611

Kenneth A. Wexler  
Jennifer Fountain Connolly  
Wexler Toriseva Wallace LLP  
55 West Monroe Street, Suite 3300  
Chicago, IL 60603  
Telephone: (312) 346-2222  
Facsimile: (312) 346-0022

Marc H. Edelson  
Hoffman & Edelson LLC  
45 West Court Street  
Doylestown, PA 18901  
Telephone: (215) 230-8043  
Facsimile: (215) 230-8735

***Co-Lead Counsel For Plaintiffs***

**CERTIFICATE OF SERVICE BY LEXISNEXIS FILE & SERVE**

Docket No. MDL 1456

I, Jennifer Fountain Connolly, hereby certify that I am one of Plaintiffs' attorneys and that, on December 3, 2007 I caused copies of **CLASS PLAINTIFFS' AND DEFENDANT GSK'S OFFER TO OBJECTOR DEMRA JORDAN NOT TO OPPOSE UNTIMELY OPT-OUT OF SETTLEMENT OR LATE CLAIM** to be served on all counsel of record by causing same to be posted electronically via Lexis-Nexis File & Serve.

/s/ Jennifer Fountain Connolly

Jennifer Fountain Connolly  
Wexler Toriseva Wallace LLP  
55 W. Monroe Street, Suite 3300  
Chicago, IL 60603  
Telephone: (312) 346-2222  
Facsimile: (312) 346-0022  
jfc@wtwlaw.com